



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

NOTICE OF PROPOSED ACTION

Web Posting Date: 07/22/11

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and the Federal Clean Water Act. The Administrator has received an application for a new National Pollutants Elimination Discharge System (NPDES) discharge permit **NV0024091** from the following applicant:

Broken Arrow Horse & Cattle Co. LLC

P.O. Box 1475

Fallon, Nevada 89407

The Applicant has applied for a new National Pollutant Discharge Elimination System (NPDES) Permit - **NV0024091**, to discharge storm water from its Broken Arrow Horse & Cattle Co. LLC (BAHCC) facility during storm events in excess of a 25-year, 24-hour storm event. The facility is located in southeast Fallon, Churchill County, Nevada. BAHCC is a wild horse holding, adoption preparation center and has requested a maximum operational capacity to tend to 3,000 horses; this facility was designed for a larger animal holding capacity. All manure produced by this operation will be transferred to third parties; manure transfer requirements are defined within the proposed permit. This facility does not produce any process wastewater; the water used in this facility is for horse consumption. This facility would not land apply any manure or process water, thus a Nutrients Management Plan (NMP) is not required.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, as amended, and implementing regulations, the Administrator proposes to issue permit NV0024091 for a five (5) year period, subject to the effluent limitations as described above.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand-delivered or postmarked no later than **5:00 P.M. on August 29th, 2011** either in person or by mail to:

Nevada Division of Environmental Protection

Bureau of Water Pollution Control

901 South Stewart Street, Suite 4001

Carson City, Nevada 89701-5249

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received within the thirty (30) day period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting [Alexi Lanza, P.E.](#) Bureau of Water Pollution Control at (775) 687-9468, or at alanza@ndep.nv.gov The office facsimile number is (775) 687-4684. This notice and the Fact Sheet for this facility are also available on the NDEP website at www.ndep.nv.gov/admin/public.htm. Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.